

Remarks/Arguments

Claims 1-11 and 13-14 remain in this application. Claims 12 and 15 have been cancelled.

In order to advance prosecution on the merits, claim 1 has been amended to recite a multi-media geography game show comprising, *inter alia*, (i) credit issuing means for issuing learning credits to contestants, live show audience participants and remote TV viewers, respectively, wherein said learning credits qualifies a contestant, live show audience or remote TV viewer to sit for an additional examination, to obtain college credits; and (ii) wherein the participation of each: contestant, live show audience participant and remote TV viewer connected to Internet, collectively, is in real time. The amendments to claim 1 are clearly supported by the specification, as originally filed, at page 14, lines 15-18 and page 20, lines 6-8. Accordingly, no new matter has been added.

Applicant's invention, as recited by present claims 1-11 and 13-15, provides a multi-media geography game show that allows real time participation of contestants, live show audience participants and remote TV viewers having Internet connections. Answers to questions related to geography provided within an allotted time period qualify participants for monetary or material rewards, together with learning credits. The learning credits may be converted to college credits by taking appropriate validation tests from accredited educational institutions that have made arrangements with the geography game show. The responses of contestants, live show audience participants and remote TV viewers, as well as the rewards and the leaning credits, are electronically processed and appropriate credits are issued using print outs or magnetic media.

Claim Rejections – 35 USC §112

Claim 15 was rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has stated that using a Trademark in a claim renders a claim indefinite, and also constitutes an improper use of the Trademark.

In view of the cancellation of claim 15, it is submitted that this rejection has been obviated; reconsideration thereof is respectfully requested.

Claim Rejections – 35 USC §103

Claims 1-15 were rejected under 35 USC 103(a) as being unpatentable over Pearson et al. (US Pub. #2002/0162117) in view of Lotvin et al. (US Pub. #2002/0165777).

Pearson et al. (hereinafter Pearson) discloses a system and method for synchronizing interactive content with particular scenes in a television program for use with an interactive television system. An HTML page displays both the television program and interactive functionality which allows the presentation to the user of specific information, such as facts and observations, which is synchronized to and interrelated with particular content within the television program. The system and method enables the user to enter responses to program-related questions and can be utilized for implementing a rewards-based user-interactive viewing experience. The system and method also enables an advertiser to synchronize advertisements to

particular scenes within a television program, thus allowing the advertiser to tie products to the program the user is viewing.

Lotvin et al. (hereinafter Lotvin) discloses a computer apparatus and methods that uses computer technology in a unique way to motivate children to devote more time to educational and cultural enrichment. In the preferred embodiment, educational material is provided at a child's local computer under control of a central computer system connected to it over a computer network. On completing a particular educational task, the child is rewarded with a certain number of points. Points that the child accumulates are stored centrally, and at least some of the points can be redeemed towards the purchase of goods and services offered through the system of the preferred embodiment by its commercial participants. The purchasing transactions are also administered by the central computer. Parents, preferably, use the system to support their children's purchasing activity financially and to select content available for presentation to the child. In other embodiments, the disclosed apparatus and methods can be used for purposes unrelated to education of children, and distribution of functionality between the central and local computers may be different, including wholly local implementations.

Applicant respectfully traverses the Examiner's arguments. MPEP §2143.03 states that in order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). It is submitted that Pearson in view of Lotvin does not render claims 1-11 and 13-14 obvious because the proposed combination does not teach or suggest all of the claim limitations of these claims, as amended.

Regarding claim 1, the Examiner states that Pearson teaches a multi-media geography game show providing educational credit allowing real time participation of

contestants, live show audience participants and remote TV viewers connected to the Internet (pg. 2, parag. 0014). In order to further clarify the scope of claim 1, it has been presently amended to call for: a multimedia geography game show wherein the participation of each: contestant, live show audience participant and remote TV viewer connected to Internet, collectively, is in real time. Namely, each TV viewer connected to Internet is watching and participating in the live game show in real time. This allows for a more exciting at home viewing experience and ensures that the TV viewers connected to Internet have not previously watched a “re-run” game show episode, which would give that TV viewer connected to the Internet an unfair advantage when answering the geography questions.

By way of comparison, Pearson does not disclose a game show wherein participation of each: contestant, live show audience participant and remote TV viewer connected to Internet, collectively, is in real time. The teachings relied upon by the Examiner are contained in the section of the application publication labeled “Description of Related Art”. The teaching states that “[o]ne example of the use of interactive television was an interactive version of the Jeopardy game show”. Significantly, nowhere in this paragraph (parg. 0014) is there any teaching of a game show wherein each TV viewer connected to Internet is watching and participating in the live game show in real time. It is submitted that Jeopardy game show episodes are prerecorded and not aired live in real time. Further, oftentimes, episodes are repeated on television many months or years after the original taping of the game show episode. Therefore, it is respectfully submitted that nowhere in Pearson is there a teaching of a multimedia geography game show wherein the participation of each: contestant, live show audience participant and remote TV viewer connected to Internet, collectively, is in real time.

Further, the system disclosed by Pearson does not relate to a game show, but instead to other types of broadcast programs. See especially Pearson at page 6, paragraph 0070: "The user may also be asked about events in past episodes of a program that are related to what is currently being shown or to predict what may happen next based on what is occurring presently. For example, the user might be queried: "Do you think she will shoot him?" The user may be provided with a sufficient time to answer before the event occurs". This teaching clearly shows that Pearson discloses a system for use with non-game show programs – such as programs that follow a story line or plot, such as movies, sitcoms, and the like. Therefore, it is respectfully submitted that Pearson does not disclose a system that includes a multimedia live interactive geography game show, as required by present claim 1.

The Examiner has admitted that Pearson does not disclose credit issuing means for issuing learning credits to contestants, live show audience participants and remote TV viewers. The Examiner states that Lotvin teaches issuing learning credits (page 1, para. 0005). The Examiner states that: (i) it would have been obvious to one of ordinary skill in the art to modify Pearson to give learning credits to users using the teaching of Lotvin; (ii) this would allow a teacher use other technologies to get their students to learn more about geography and other topics and reward them for it; and (iii) Jeopardy is well known to cover many topics including geography, it should be known that this is a matter of design choice for what a game show questions should include.

In order to further clarify the invention claim 1 has been amended to call for a multi-media geography game show comprising, *inter alia*, credit issuing means for issuing learning credits to contestants, live show audience participants and remote TV viewers, respectively, wherein said learning credits qualifies a contestant, live show

audience or remote TV viewer to sit for an additional examination, to obtain college credits. Therefore, participants who score well in the game show are given the opportunity to qualify to sit for an additional examination, to obtain college credits. The result is that participants are pre-screened and pre-tested to ensure a minimum knowledge of the subject matter before they are qualified to sit for an additional examination to obtain college credits. This system, as required by claim 1, rewards those participants who perform well in the geography game show and ensures minimum standards for the opportunity to sit for an additional examination, to obtain college credits.

By way of comparison, nowhere in the combined teachings of Pearson and Lotvin is there any disclosure or suggestion of a geography game show comprising credit issuing means for issuing learning credits to contestants, live show audience participants and remote TV viewers, respectively, wherein said learning credits qualifies a contestant, live show audience or remote TV viewer to sit for an additional examination, to obtain college credits. The teaching relied on by the Examiner at Lotvin, page 1, paragraph [0004] states that educational material is provided at a child's local computer wherein "[o]n completing a particular educational task, a child is rewarded with a certain number of points". At Lotvin, page 1, paragraph [0006] – "Points that a child accumulates by completing educational exercises can be redeemed towards the purchase of goods and services offered through the system of the preferred embodiment by its commercial participants". Namely, nowhere in the combined teachings of Pearson and Lotvin is there a disclosure of a geography game show comprising credit issuing means for issuing learning credits to contestants, live show audience participants and remote TV viewers, respectively, wherein said learning credits qualifies a contestant, live show audience or remote TV viewer to sit

for an additional examination, to obtain college credits. Instead, in Lotvin, (i) the participants are children; and (ii) the credits can only be redeemed towards the purchase of goods and services - and not for the opportunity to sit for an additional examination, to obtain college credits. Significantly, in present claim 1, the “reward” for answering the questions correctly and receiving credits is the opportunity to use the credits to sit for an additional examination, to obtain college credits – as compared to the credits of Lotvin which can only be redeemed towards the purchase of goods and services.

Applicant respectfully submits that Pearson in view of Lotvin do not disclose or suggest every limitation of claim 1, as amended. Accordingly, it is submitted that present claim 1 patentably defines over Pearson in view of Lotvin.

Regarding the rejection of claims 12 and 15, because these claims have been cancelled by way of the present amendment, the rejections are now moot.

Regarding the rejection of claims 2-11 and 13-14, these claims depend from independent claim 1, as amended, which applicant believes is patentable for the reasons listed above. Therefore, it is submitted that claims 2-11 and 13-14 are patentable over the cited references.

Accordingly, reconsideration of the rejection of claims 1-11 and 13-14 under 35 USC 103(a) as being unpatentable over the combination of Pearson and Lotvin is respectfully requested.

Conclusion

In view of the amendments to the claims and the remarks set forth above, it is respectfully submitted that the present application is in allowable condition. Reconsideration of the rejection of claims 1-11 and 13-14, as amended, and their allowance are earnestly solicited.

Respectfully submitted,
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